

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-21 will be pending. No new matter has been added.

§ 103 Rejection of Claims 1-18, 20 and 21

In Section 7 of the Office Action, the Examiner has rejected claims 1-18, 20 and 21 under 35 U.S.C. §103(a) as being unpatentable over Vaudreuil (U.S. Patent No. 5,740,230) in view of Thorne *et al.* (U.S. Patent No. 5,598,005; hereinafter referred to as “Thorne”). This rejection is respectfully traversed below.

In the Background section of the Specification, it was disclosed that “[i]n view of the above-captioned prior art it is the object of the present invention to provide for a technique capable of unified (multimedia) instant messaging. [In] other words, the invention should provide a technique for the nearly real-time transfer of multimedia messages and a processing of these messages through a flexible distributed system.” *Background of the Specification, page 2, lines 9-13.*

To address the above-described objective, embodiments of the present invention provide a capability to transmit messages over a multimedia network from a sending client to a target client. For example, the structure of system claim 1, as presented herein, includes:

- “- a plurality of message gateways, each message gateway being configured to receive and transmit over at least one dedicated transfer medium, and
- a message broker (1) connected to the message gateways and being provided with a client database (2),

wherein a first message gateway receives a message from a sending client over a first transfer medium and transmits the message and/or an information extracted thereof to the message broker (1), the message broker (1) automatically selects an appropriate second transfer medium depending on the content of the client database (2) and supplied message and/or information extracted thereof, and the message is sent to the target client by means of a second message gateway configured for a transmission over the second transfer medium selected by the message broker (1), and

wherein messages include meta information containing a plurality of different fields, one of the fields being a secure read count and a maximum read count value limiting the maximum reads of the message,

wherein the message broker controls the message flow by inspecting the meta information of the messages.”

(emphasis added)

Accordingly, in one aspect of the present invention, a first message gateway receives a message from a sending client over a first transfer medium and transmits the message and/or an information extracted thereof to the message broker (1). The message broker (1) automatically selects an appropriate second transfer medium depending on the content of the client database (2) and supplied message and/or information extracted thereof. Then, the message is sent to the target client by means of a second message gateway configured for a transmission over the second transfer medium selected by the message broker (1). The messages include meta information containing a plurality of different fields, one of the fields being a secure read count and a maximum read count value limiting the maximum reads of the message. Further, the message broker controls the message flow by inspecting the meta information of the messages.

Therefore, in the configuration described above, a message broker is in charge of managing the transmission of messages from a sending client to a target client. The message broker is able to change between different transfer media over which the message is to be sent to the target client. The same message broker, and not the sending client or the target client, is in

charge of controlling the message flow by inspecting the meta information of the messages, the meta information containing among other things, a secure read count and maximum read count value limiting the maximum reads of the messages.

It was stated that Vaudreuil does not disclose one of the fields being a read count and a maximum read count value limiting the maximum reads of the message. *Office Action, pages 3-4*. It was stated that Thorne discloses this limitation. Yet Thorne deals with a single medium, i.e., e-mail. It is not foreseeable to adapt the e-mail message to different target media, because although it is relatively easy to incorporate a read count limitation in a single medium such as e-mail, it is much more complicated to maintain and forward a read count value field when converting from a first medium to a second medium. Therefore, Thorne fails to teach a system containing multimedia transmission of messages, as claimed.

In addition, in Thorne the read count itself is carried out on the target client side, and the sending client is defining the maximum read count value. *See Thorne, Figs. 5A and 5B and corresponding description*. In other words, Thorne teaches incorporating the read count function on the terminal side, versus incorporating it within the message broker, as claimed. In sum, Thorne fails to teach that it is the message broker and not one of the sending and receiving clients who is carrying out the read count functionality.

Further, the read count functionality according to Thorne is limited to a single path transmission. Therefore, Thorne fails to teach a multipath transmission (i.e., a receiving client again sending the message to another client), as claimed. As a result, Thorne fails to achieve an advantageous multipath transmission in which the following scenario is possible: The maximum read count has been initially set to ten. Five reads can then be carried out by a first receiving

client who can in turn forward the message to a second receiving client who has the possibility of carrying out another five reads.

Therefore, Vaudreuil and Thorne, individually or in combination, fail to teach or suggest a system wherein a first message gateway receives a message from a sending client over a first transfer medium and transmits the message and/or an information extracted thereof to the message broker (1), the message broker (1) automatically selects an appropriate second transfer medium depending on the content of the client database (2) and supplied message and/or information extracted thereof, and the message is sent to the target client by means of a second message gateway configured for a transmission over the second transfer medium selected by the message broker (1), and wherein messages include meta information containing a plurality of different fields, one of the fields being a secure read count and a maximum read count value limiting the maximum reads of the message, wherein the message broker controls the message flow by inspecting the meta information of the messages, as claimed.

Based on the foregoing discussion, it is maintained claim 1 should be allowable over the combination of Vaudreuil and Thorne. Furthermore, since independent claims 12 and 15 closely parallel, and include substantially similar limitations as, independent claim 1, claims 12 and 15 should also be allowable over the combination of Vaudreuil and Thorne. Since claims 2-11, 13-14, and 16-21 depend from claims 1, 12, and 15, respectively, claims 2-11, 13-14, and 16-21 should also be allowable over the combination of Vaudreuil and Thorne.

Accordingly, it is submitted that the Examiner's rejection of claims 1-18, 20, and 21 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claim 19

In Section 28 of the Office Action, claim 19 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Vaudreuil in view of Thorne, and further in view of Yokomizo *et al.* (U.S. Patent No. 6,163,796; hereinafter referred to as “Yokomizo”). This rejection is respectfully traversed below.

Based on the foregoing discussion regarding claim 15, and since claim 19 depends from claim 15, claim 19 should be allowable over the combination of Vaudreuil and Thorne.

Since it was stated in Section 28 that Yokomizo “teaches a message can have a lifetime attributed to it,” it is maintained that Vaudreuil, Thorne, and Yokomizo, individually or in combination, fail to teach or suggest a system wherein a first message gateway receives a message from a sending client over a first transfer medium and transmits the message and/or an information extracted thereof to the message broker (1), the message broker (1) automatically selects an appropriate second transfer medium depending on the content of the client database (2) and supplied message and/or information extracted thereof, and the message is sent to the target client by means of a second message gateway configured for a transmission over the second transfer medium selected by the message broker (1), and providing messages transmitted over the multimedia network to include meta information containing a plurality of different fields, one of the fields being a secure read count and a maximum read count value limiting the maximum reads of the message, wherein the message broker controls the message flow by inspecting the meta information of the messages. Therefore, claim 19 should be allowable over the combination of Vaudreuil, Thorne, and Yokomizo.

Accordingly, it is submitted that the Examiner's rejection of claim 19 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-21 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

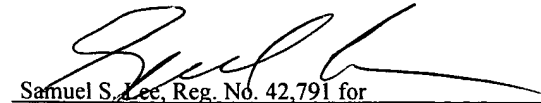
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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